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*Attorneys for Plaintiff***UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK****MERRILL LYNCH & CO., INC.,**

Plaintiff,

v.

"JOHN DOE",

Defendant.

**USDC SDNY
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DATE FILED: 7/15/08**

07-CV-9649 (RPP/JCF)

**VOLUNTARY DISMISSAL OF
ACTION UNDER F.R.C.P. 41(a)**

Plaintiff Merrill Lynch & Co., Inc. ("Plaintiff"), by its undersigned attorneys, hereby voluntarily dismisses this action without prejudice pursuant to Rule 41(a) of Federal Rules of Civil Procedure.

Dated: July 14, 2008

KILPATRICK STOCKTON LLPBy: 

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*application granted
So ordered
RPP/JCF vs DZ
7/14/08
case closed*